IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

FRIDAY, THE 29TH JUNE 2007 / 8TH ASHADHA 1929

OP.No. 25223 of 2002(C)

PETITIONER:

G.DILEEP KUMAR, S/O.P.GOPINATHAN PILLAI,
AGED 31 YEARS, "RETNA BHAVAN", KERALAPURAM,
CHANDANATHOP P.O., KOLLAM.
(SECOND GRADE SURVEYOR OF ALC NO V, ANCHAL)

BY ADV. SRI.M.VIJAYAKUMAR
SMT.K.A.SANJEETHA

RESPONDENTS:
---

1. DIRECTOR, KERALA SURVEY AND LAND
RECORDS DEPARTMENT, TRIVANDRUM.

2. SURVEY DEPUTY DIRECTOR, KOLLAM.

3. ASSISTANT DIRECTOR (RESURVEY), KOLLAM.

BY GOVT. PLEADER SMT.T.B.RAMANI

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 29/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP NOS.42723 & 49827 OF 2002 IN OP NO.25223 OF 2002 C

//DISMISSED//

29.06.2007. SD/- THOTTATHIL B.RADHAKRISHNAN, JUDGE.

APPENDIX

PETIITONER'S EXHIBITS:

EXT.P1: TRUE COPY OF THE MEMO DTD.2.3.2000.

EXT.P2: TRUE COPY OF THE REPLY DT.15.3.2000.

EXT.P3: TRUE COY OF THE MEMO DTD.7.3.2000.

EXT.P4: TRUE COPY OF THE REPLY DTD.18.3.2000.

EXT.P5: TRUE COPY OF THE MEMO OF CHARGES DTD.18.9.2000.

EXT.P6: TRUE COPY OF THE REPLY DTD.12.10.2000.

EXT.P7: TRUE COPY OF THE ORDER DTD.27.10.2000.

EXT.P8: TRUE COPY OF THE REVISION PETITION FILED BEFORE THE 2ND RESPONDENT DATED 27.11.2000.

EXT.P9: TRUE COPY OF THE APPEAL FILED BEFORE THE 1ST RESPONDENT DTD.30.3.2001.

EXT.P10: TRUE COPY OF THE PROCEEDINGS ISSUED BY THE 3RD RESPONDENT DATED 18.6.2001.

EXT.P11: TRUE COPY OF the ORDER NO.733/00 DT.12.7.2002 ISSUED BY ASST. DIRECTOR, RE-SURVEY, KOLLAM.

EXT.P12: TRUE COPY OF THE REPRESENTATION TO THE 3RD RESPONDENT DATED 5.9.2002.

EXT.P13: PHOTOSTAT COPY OF THE NOTICE DATED 26.9.2002.

/TRUE COPY/

THOTTATHIL B.RADHAKRISHNAN, J.

O.P.No.25223 OF 2002

Dated this the 29th day of June, 2007

JUDGMENT

Petitioner was proceeded on counts of indiscipline. An order of punishment was imposed. The Director of Survey and Land Records cancelled that order and directed a fresh enquiry to be conducted. By the impugned Ext.P11, the Assistant Director, Kollam appointed an enquiry officer. There is no interlocutory order in this writ petition filed in the year 2002. Going by the counter affidavit, the enquiry proceedings following Ext.P11 were going on. In the aforesaid circumstances, this writ petition is dismissed without prejudice to the right of the petitioner to challenge any finding or punishment, if he is ultimately faced with such consequences on the basis of the disciplinary proceedings which stood remitted as noticed above. All questions left open.

Sd/-

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.

==========

THOTTATHIL B. RADHAKRISHNAN, J

O.P.NO.25223 OF 2002

JUDGMENT

29TH JUNE, 2007.

==========